

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

EAST WEST, LLC d/b/a
CARIBBEAN CRESCENT,

Plaintiff,

V.

SHAH RAHMAN,

and

CARIBBEAN CRESCENT, INC.

Defendants.

CARIBBEAN CRESCENT, INC.,

Counterclaimant and Third-Party Plaintiff,

V.

EAST WEST, LLC, d/b/a
CARIBBEAN CRESCENT,

Counter-Defendant,

and

NAEEM ZAI,

and

MOHAMMED SADIQ,

Third-Party Defendants.

O R D E R

For the reasons stated in the accompanying Memorandum Opinion, it is hereby ORDERED that:

(1) Plaintiff's Motion for Summary Judgment on Plaintiff's Claim for Trademark Infringement, Use of False Designations of Origin, and False Representations in Commerce in Violation of Federal Law (the Lanham Act, 15 USC § 1125(A)) [123] is denied;

(2) Plaintiff's Motion for Summary Judgment on Plaintiff's Claim for Trademark Infringement in Violation of the Common Law [123] is denied;

(3) Defendants' Motion for Summary Judgment on Plaintiff's Claim for Trademark Infringement, Use of False Designations of Origin, and False Representations in Commerce in Violation of Federal Law (the Lanham Act, 15 USC § 1125(A)) [114] is denied;

(4) Defendants' Motion for Summary Judgment on Plaintiff's Claim for Trademark Infringement in Violation of the Common Law [114] is denied;

(5) Defendants' Motion for Summary Judgment on Plaintiff's Unfair Competition, Passing Off, False Advertising, Trade Name Infringement, and False Designation of Origin Claim in Violation of Federal Law (the Lanham Act, 15 U.S.C. § 1125(A)) [114] is denied;

(6) Defendants' Motion for Summary Judgment on Plaintiff's Unfair Competition and Trade Name Infringement Claim in Violation of the Common Law [114] is denied;

(7) Plaintiff's Motion for Summary Judgment on Plaintiff's Cancellation of Registration Claim [123] is granted;

(8) Plaintiff's Motion for Summary Judgment on Defendant's Trademark Infringement, Trademark Counterfeiting, Unfair Competition, and False Designation of Origin Counterclaim in Violation of Federal Law (the Lanham Act, 15 USC §§ 1114, 1125(A)) [123] is denied;

(9) Plaintiff's Motion for Summary Judgment on Defendant's Trademark Infringement, Unfair Competition, and False Designation of Origin Counterclaim in Violation of the Common Law [123] is denied;

(10) Defendants' Motion for Summary Judgment on Plaintiff's Breach of Contract Claim [114] is granted; and

(11) the Clerk of the Court shall forward copies of this Order and the accompanying Memorandum Opinion to all counsel of record.

THIS ORDER IS FINAL.

September 13, 2012
Alexandria, Virginia

/s/
James C. Cacheris
UNITED STATES DISTRICT COURT JUDGE